## REMARKS

The present application includes claims 1-16, 18-23, 25-27, 34-36, 38, 42-44 and 51-67.

### Lengthy prosecution

Applicant respectfully notes that the present application is pending since August 2001 and that the current office action is the fourth office action issued on the merits of the present application.

Applicant refers the Examiner's attention to MPEP 707.02, which states that "the supervisory Examiners are expected to personally check on the pendency of every application which is up for the third or subsequent Office action with a view to finally concluding its prosecution."

Furthermore, MPEP 707.02 states that "any application that has been pending five years should be carefully studied by the supervisory patent Examiner and every effort should be made to terminate its prosecution."

Applicant's agent will call the Examiner following the forwarding of this response to the Examiner in order to attempt to resolve the issues at dispute and get the application allowed.

### Relation to applicant's previous arguments

On page 2 of the present office action, paragraph 2, the Examiner stated that applicant's arguments are deemed to be moot in view of the new grounds of rejection. The Examiner further stated on page 9, paragraph 7, that the Examiner has attempted to respond to the applicant's arguments in the body of the office action.

Applicant, regretfully, could not find any such remarks or new grounds of rejection which make the arguments moot. Following is a listing of the differences that applicant could find between the previous office action dated March 29, 2005, prepared by primary Examiner Salleh Najjar, and the present office action, prepared by primary Examiner Bharat Barot:

1) on page 2, last line, the reference to col. 10, lines 15-60 of Rabne was changed to cols. 10-11.

2) on page 3, lines 3-6, in relating to claim 1, the Examiner added reference to col. 18, lines 20-60, of Rabne and a statement that Rabne also discloses "that the information is viewable but less susceptible to copying when downloaded by the client". Applicant notes that the requirement that "the information is viewable" does not appear in claim 1 at all. The requirement of displaying the modified form of the information appeared previously in the claim and was only amended for clarity.

3) on page 7, lines 3-16, the Examiner related to the newly added claims 51-67.

Otherwise, the present office action is substantially the same, except for adapting to the cancellation of some of the claims and minor changes in wording of the claims.

Following is a list of arguments presented by applicant in the response to the previous action, to which the Examiner did not relate:

1) Applicant explained at length why Rabne and Tso could not be combined in forming a *prima facie* rejection. The present office action did not relate to any of these arguments, although the action used the same combination in the same way in the current rejection.

2) Applicant stated that the limitation of claim 11 could not be found in Rabne after reviewing cols. 10-14 referred to by the Examiner and requested that the Examiner provide a more specific pointer, which will allow applicant to determine the basis of the Examiner's rejection and respond accordingly. The Examiner did not relate to this request and was not more specific as to the basis for the rejection, which remained unchanged.

3) Regarding claim 20 applicant stated that Col. 20, lines 12-18, referred to by the Examiner relates to changing the presentation of the browser, not to changing a text object of the transmitted information into a non text object.

4) Regarding new claim 57 (including a limitation similar to that in claim 53) applicant explained the differences between the claim requirements and Rabne. The Examiner did not respond to these arguments, but merely referred to Figs. 1-15 and cols 17-18 and 20, without explanation.

5) Regarding claim 58, applicant explained the differences relative to Rabne and Chadha. No response was made to this argument, which remained unchanged.

6) Regarding new claim 64, applicant explained the difference between the use of applets in the present application relative to Rabne. No response was made to this argument and the rejection remained unchanged.

All of these arguments are pertinent to the rejections of the current office action and should have been related to by the Examiner in the current office action, as required by MPEP 707.07(f).

Applicant further notes that 37 CFR 1.104(c)(2) requires that "when a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained ..."

Applicant respectfully submits that relation to three or four columns of text or to 6 or 15 drawings, without any explanation, does not meet the requirements of the patent rules and the MPEP. Specifically so, given applicant's arguments in the response to the previous office action, which are repeated herein.

## Response to rejections

Following is a detailed response to the rejection. Many parts are repetitions of arguments stated in the previous office action, to which the Examiner failed to relate.

## Rejections

Claims 1-3, 5-16, 18-20, 22-23, 25-27, 34-36, 38, 42-44 and 51-67 stand rejected under 35 USC 103(a) as being unpatentable over Rabne et al 6,006,332, in view of Tso et al 6,185,625.

Claim 4 stands rejected under 35 USC 103(a) as being unpatentable over Rabne et al 6,006,332 and Tso et al 6,185,625, and further in view of Chaddha et al 5,621,660.

Claim 21 stands rejected under 35 USC 103(a) as being unpatentable over Rabne et al 6,006,332 and Tso el al 6,185,625, and further in view of Gerace 5,991,735.

## Claim 1

Applicant respectfully submits that the Examiner has not established a *prima facie* case of obviousness regarding claim 1 and its dependent claims, since there is no suggestion in the art to combine Rabne et al 6,006,332 and Tso et al 6,185,625 and in fact, Rabne and Tso teach away from such a combination.

Claim 1 requires transmitting information in an original format, from the data source to a proxy server and converting the information, at the proxy server, from the original format to a modified form, in which the information is less available for copying than in the original format.

## Lack of motivation to combine

MPEP 2142 states: "there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings."

Rabne relates to a secure rights management (RM) server which provides data in a restricted manner. As acknowledged by the Examiner, Rabne does not describe transmitting information in an original format, from the data source to a proxy server, and converting the information at the proxy server.

Tso describes a proxy server that encodes and scales data according to the needs of a client to which the data is provided.

The Examiner states that it would be obvious to modify Rabne so that the data is converted into a restricted format by a proxy, rather than being provided in a restricted manner by the RM server. The Examiner, however, has not provided any motivation to have a proxy perform the conversion into the restricted format instead of having the data in a protected format already in the source. The Examiner's statement that it would be desired to use a proxy in order to protect a LAN

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from unauthorized access from the Internet only explains why it would be desired to have the signals transmitted from the RM server to the client pass through a proxy. The need to protect the client does not suggest any motivation to convert the signals into a modified form by the proxy. As is well known in the art, most proxies do not modify data passing through them at all, but only cache the requested content (Tso, col. 5, lines 11-49), and still provide the required LAN protection (Tso, col. 4, lines 58-59). Even if a proxy were to convert the signals transmitted from the RM server to the client into a modified form, for example the modification suggested by Tso, there is no motivation in the art to have the proxy modify the signals to make them less available for copying.

Furthermore, the motivation provided by Tso to perform its encoding in a proxy, namely to accommodate to the fact that some clients connect over slow connections and others connect over fast connections (col. 4, lines 40-50), is not relevant to the modifications required for copyright protection. As stated by Rabne, "communications between the RM server and any RMc browser must be encrypted to protect the intellectual property during network transmission." That is, all communications provided by the RM server must be encrypted and there is no need to accommodate the data itself to different client needs. Rabne handles the different client needs through different types of RMc browsers and/or different commands to the browser (col. 4, lines 8-11, col. 18, lines 20-32) and therefore has no gain from performing the conversion of the information signals in a proxy.

### References teach away from combination

In addition to the lack of any motivation to combine the teachings of Rabne and Tso, both these references provide reasons why such a combination is not desired. Tso (col. 5, lines 11-14) warns that the two stage data access procedure in using a proxy is relatively slow. While Tso determined that this slowdown is worthwhile in order to enhance data delivery to clients having limited connection bandwidth (i.e., the slowdown is compensated by the reduced bandwidth of data), there is no reason in Tso or Rabne why to accept such a slowdown in order to provide copyright protection in the proxy and not in the data source. Applicant notes that the delay added by a proxy increases with the number of tasks performed by the proxy. Performing the additional task of copyright protection by the proxy adds additional delay to the operation of the proxy. Such delay may be especially problematic with real time copyright data.

Also Rabne teaches away from combining the teachings of Rabne and Tso. The purpose of Rabne is to protect intellectual property rights. To do so, it is desired to minimize the points at which the copyrighted data can leak. Therefore, the simple choice of any data owner would be to

protect the data at its source and not at a proxy along the path to the client. This is repeatedly emphasized in Rabne. On col. 1, lines 24-27, for example, Rabne warns from the dangers involved in leaving data unprotected - "A person wishing to mis-use digitized intellectual property will be able to intercept the material on the Internet, on an Intranet and/or at an end-user's computer." Therefore, a solution in which the data is unprotected on its way to the proxy would not be acceptable to a reader of Rabne. On col. 6, lines 42-45, Rabne states that "communications between the RM server and any RMc browser must be encrypted to protect the intellectual property during network transmission." On col. 10, lines 63-64, Rabne states that "RM server is configured to have a secure communications channel with RMc trusted browsers 36". Furthermore, on col. 18, lines 12-15, Rabne states that "While the present system must control initial access to the intellectual property ...". See also, col. 11, lines 59-61. It is therefore clear that any reader of Rabne would not consider modifying its teachings to a system in which the transmissions of the data from their source are not protected. Even if a proxy is used, Rabne implies that the signals transmitted to the proxy are copyright protected. Therefore, there would be no reason to perform the copyright protection in the proxy. Rather, Rabene teaches that the data, as sent to the proxy *must* already be protected.

In view of these arguments, applicant submits that the Examiner has not established a *prima facie* obviousness case against claim 1 and claim 1 is patentable over the art of record. The dependent claims are patentable at least by virtue of their parent claims.

**Dependent claims**

Furthermore, at least some of the dependent claims add further patentability over the cited art. Claim 11, for example, requires converting only a portion of the information. Applicant did not find this limitation in columns 10-14 of Rabne. If the Examiner insists on the rejection, applicant respectfully requests that the Examiner provide a more specific pointer, which will allow applicant to determine the basis of the Examiner's rejection and respond accordingly.

Claim 13 requires modifying some of the information so that the displayed information differs from the original in format in a manner which makes it less available for copying. Applicant did not find in Tso or Rabne a suggestion to change the format in a manner which makes it less available for copying. Any changes in format suggested by Tso are not related to the availability of copying of the information. In Rabne, changes to the data include addition of a watermark or fingerprint (col. 20, lines 34-37) and not modifying of the information. That is, in Rabne, the entire transmitted information remains intact. Rabne adds to the information or controls the browser, but does not teach or suggest modifying the information.

Claim 20, for example, requires that the conversion modifies at least one text object to at least one non text object. This is not taught or suggested by Rabne. Col. 20, lines 12-18, referred to by the Examiner relates to changing the presentation of the browser, not to changing a text object of the transmitted information into a non text object.

Claim 21, for example, requires that the conversion modifies at least part of one static object to a dynamic object. As discussed below, regarding claim 58, the Examiner has not established a *prima facie* rejection regarding this claim.

### Claim 57

Claim 57 requires converting information into a second format, in which display of the information is easily accessible to the senses of a consumer, but is less accessible to data manipulation tools on a computer performing the display, than in the first format.

The Examiner rejected claim 53, which includes a similar limitation, referring to Figs. 1-15 and cols. 17-18 and 20 of Rabne. Col. 17 of Rabne, however, relates to features of the RMc browser, which displays the information to the user and has nothing to do with converting the information, let alone converting into a format less accessible to data manipulation tools. Col. 18, lines 11-14, of Rabne, relates to preventing unauthorized use of the digital media throughout the time it is resident on workstation 20. The remaining paragraphs of col. 18 relate to determining the security levels of clients and have nothing to do with the way the information is made less accessible. On col. 20, Rabne suggests either that information is added to the protected information (col. 20, lines 34-37) or that the browser is controlled to limit copying (col. 20, lines 12-18). Rabne does not teach or suggest changing a format of the information in order to reduce accessibility to data manipulation tools, as required by claim 57.

The dependent claims add further patentability over Rabne. Claim 58, for example, requires that the first format comprises a page and that the second format includes a temporally modulation of the information, such that only small parts of the information are displayed at any instant. This is not taught or suggested by Rabne or by Chaddha. Rabne relates to restricting access to copyrighted information, but does not suggest doing so by a temporally modulation of the contents of a page. Chaddha relates to an encoder for scalable video. Chaddha does not teach or suggest temporally modulating a page. Furthermore, Chaddha does not relate at all to restricting copying and the Examiner did not suggest any motivation to combine Chaddha to Rabne. The Examiner's remark (regarding claim 4) that it would have been obvious to combine Chaddha to Rabne and Tso to prevent copyright infringement was not based on any teaching of the art and is based on impermissible use of the teachings of the present application.

### Claim 64

Claim 64 requires receiving transmitted information in a format not supported by a simple browser and displaying the received information by the simple browser using an applet, in a form in which the information is less available for copying than a freely copied format.

This is not taught or suggested by Rabne. In Rabne, "the workstation must ... contain a trusted program that can securely receive intellectual property ..." (col. 6, lines 34-36). This trusted program is formed of an internet browser with a special launch pad 34 (col. 11, lines 12-19), which receives RMc browsers and manages their operation (Col. 11, lines 62-66) as "the only way to access the many types of information available from the RM server is via an RMc browser application" (col. 6, lines 53-55). The launch pad 34 is installed only once (col. 11, lines 19-24). "Launch pad 34 must be started before any requests from an unsecure system can be serviced." (col. 11, lines 13-15).

Rabne suggests using applets instead of the RMc browsers (col. 23, lines 13-15), but notes that this cannot be done with a simple browser (col. 23, lines 17-18), since the rm launch pad could not execute a Java applet. Therefore, Rabne suggests changes to Java or to the browser, to bridge Java applets with other programs which could perform restricted services on behalf of the applet (col. 23, lines 22-26).
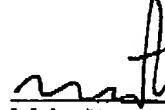
Applicant notes that the "simple browser" may be in itself very complex, as long as it is not a dedicated browser for limiting access to copyright protected information as is the case with all embodiments of Rabne.

The Examiner related in the rejection to Figs. 2-5 and 14-15 and to cols. 11-14 of Rabne. Applicant, however, did not find in any of these figures and columns, a mention of applets. Applicant respectfully requests that the Examiner explain the rejection as required by the MPEP.

## Conclusion

In view of the above remarks, the claims are believed to be ready for allowance. Allowance of the claims is respectfully awaited. In the event that the Examiner does not agree to allow the claims, but feels a telephone conversation can forward the application to allowance, the Examiner is respectfully requested to call the undersigned at (toll free) +1 (877) 428-5468. This telephone connects directly to the undersigned's office in Israel, which is 7 hours ahead of Washington. Our normal work week is Sunday through Thursday and the undersigned is generally available until 11:00 AM, Washington time.

Respectfully submitted,
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